IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

| UN | IITED STATES OF AMERICA |) |
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| | Plaintiff, | 8:05CR151 |
| | vs. | DETENTION ORDER |
| EL | MAR PINTO-HERNANDEZ, | |
| | Defendant. | |
| A. | Order For Detention After conducting a detention hearing pursuant Act on May 2, 2005, the Court orders the above 18 U.S.C. § 3142(e) and (i). | |
| B. | will reasonably assure the appearance | ecause it finds: at no condition or combination of conditions of the defendant as required. no condition or combination of conditions |
| C. | and deported from the University Nebraska after having reconsent of the Attorney Government of the Att | Report, and includes the following: offense charged: eviously convicted of an aggravated felony ted States, being found in the District of e-entered the United States without the seneral or his successor in violation of 8 fect to twenty years imprisonment under 8 followers in the defendant of controlled substances, to wit: at the defendant is high. The defendant including: The service of the area of the area of the substantial financial resources. The substantial financial resources of the community. The service of the community ties of the any significant community ties. |

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| | X The defendant has a prior record of failure to appear at court proceedings. |
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| (b) | At the time of the current arrest, the defendant was on: |
| | Probation |
| | Parole |
| | Release pending trial, sentence, appeal or completion of |
| | sentence. |
| (c) | Other Factors: |
| | X The defendant is an illegal alien and is subject to deportation. |
| | The defendant is a legal alien and will be subject to deportation |
| | if convicted. |
| | X The Bureau of Immigration and Custom Enforcement (BICE) |
| | has placed a detainer with the U.S. Marshal. |
| | Other: |

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: May 2, 2005. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge